

selecting data from data stored in said plurality of data stores according to said booting program, at least one of said data stores being removably connected to said information processing apparatus; and

starting up said information processing apparatus using the selected data;

whereby said at least one of said data stores comprises a file allocation table block operable to store header information, a startup image display program storage block operable to act as a read only memory, and a data block operable to store data generated by said information processing apparatus.--

REMARKS

This Amendment is responsive to the Final Action dated December 17, 2002. The claim amendments included herein are merely clarifying amendments and are not meant to change the intended scope of the claims. Thus, the amendments present the rejected claims in better form for consideration on appeal, and they should be entered in due course. Moreover, the amendments are manifest, requiring only a cursory review by the Examiner, thereby providing additional ground for their entry.

Claims 21-23, 25-33 and 35-40 were pending in the application. In the Final Action, claims 21-23, 25-33 and 35-40 were rejected. In this Amendment, claims 21, 27, 31 and 37 have been amended. Claims 21-23, 25-33 and 35-40 thus remain for consideration.

Applicant submits that claims 21-23, 25-33 and 35-40 are in condition for allowance and requests reconsideration and withdrawal of the rejections in light of the following remarks.

§103 Rejections

Claims 21-23, 25-33 and 35-40 were rejected under 35 U.S.C. §103(a) as being unpatentable over Roskowski et al. (U.S. Patent No. 5,624,316).

Applicant submits that the independent claims (claims 21, 27, 31 and 37) are patentable over Roskowski.

Applicant's invention as recited in the independent claims is directed toward an information processing apparatus and a method for starting up an information processing apparatus. Each of the claims recites that data for starting up the information processing apparatus is selectively chosen from among data stored in a multiple of data stores, at least one of the data stores being removably connected to the information processing apparatus. Each of the claims further recites that "said [at least one of said data stores] comprises a file allocation table block operable to store header information, a startup image display program storage block operable to act as a read only memory, and a data block operable to store data generated by said information processing apparatus."

Roskowski does not disclose selectively choosing start up data for an information processing apparatus from among data stored in a multiple of data stores, wherein at least one of the data stores is removably connected to the information processing apparatus and includes a file allocation table block operable to store header information, a startup image display program storage block operable to act as a read only memory, and a data block operable to store data

generated by the information processing apparatus. Accordingly, Applicant believes that claims 21, 27, 31 and 37 are patentable over Roskowski on at least this basis.

Claims 22, 23, 25 and 26 depend on claim 21. Since claim 21 is believed to be patentable over Roskowski, claims 22, 23, 25 and 26 are believed to be patentable over Roskowski on the basis of their dependency on claim 21.

Claims 28-30 depend on claim 27. Since claim 27 is believed to be patentable over Roskowski, claims 28-30 are believed to be patentable over Roskowski on the basis of their dependency on claim 27.

Claims 32, 33, 35 and 36 depend on claim 31. Since claim 31 is believed to be patentable over Roskowski, claims 32, 33, 35 and 36 are believed to be patentable over Roskowski on the basis of their dependency on claim 31.

Claims 38-40 depend on claim 37. Since claim 37 is believed to be patentable over Roskowski, claims 38-40 are believed to be patentable over Roskowski on the basis of their dependency on claim 37.

Office Action in Corresponding European Application

Applicant has attached a copy of an Office Action that issued in a corresponding European Application on February 14, 2003. The Action has been attached as information for consideration by the Examiner.

Applicant submits that all of the claims now pending in the application are in condition for allowance, which action is earnestly solicited.

It is submitted that these claims, as originally presented, are patentably distinct over the prior art cited by the Examiner, and that these claims were in full compliance with the requirements of 35 U.S.C. §112. Changes to these claims, as presented herein, are not made for the purpose of patentability within the meaning of 35 U.S.C. §§101, 102, 103 or 112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicant is entitled.

Statements appearing above with respect to the disclosures in the cited references represent the present opinions of the Applicant's undersigned attorney and, in the event that the Examiner disagrees with any such opinions, it is respectfully requested that the Examiner specifically indicate those portions of the respective reference providing the basis for a contrary view.


If any issues remain, or if the Examiner has any further suggestions, he/she is invited to call the undersigned at the telephone number provided below.

The Examiner is hereby authorized to charge any insufficient fees or credit any overpayment associated with the above-identified application to Deposit Account No. 50-0320.

The Examiner's consideration of this matter is gratefully acknowledged.

Respectfully submitted,

FROMMER LAWRENCE & HAUG LLP

By: 
Bruno Polito
Reg. No. 38,580
(212) 588-0800

VERSION WITH MARKINGS TO SHOW CHANGES MADE

Claims 21, 27, 31 and 37 have been amended as follows:

--21(twice amended). An information processing apparatus comprising:

a processor for executing a booting program to start up said information apparatus; and
a data store for storing first data,
wherein said processor selectively uses said first data stored in said data store or second data stored in another data store according to said booting program to start up said information processing apparatus, said other data store being removably connected to said information processing apparatus;

whereby said other data store comprises a file allocation table block operable to store header information, a startup image display program storage block operable to act as a read only memory, and a data block operable to store data generated by said information processing apparatus.

27(twice amended). An information processing apparatus comprising:

a processor for executing a booting program to start up said information apparatus; and
a communication unit for data communication with a plurality of data stores for storing data, at least one of said data stores being removably connected to said information processing apparatus,
wherein said processor selectively uses said data stored in said plurality of data stores according to said booting program to start up said information processing apparatus;

whereby said at least one of said data stores comprises a file allocation table block operable to store header information, a startup image display program storage block operable to act as a read only memory, and a data block operable to store data generated by said information processing apparatus.

31(twice amended). A method of starting up an information processing apparatus, comprising the steps of:

executing a booting program;

selecting data from first data stored in a data store of said information processing apparatus and a second data stored in another data store according to said booting program, said other data store being removably connected to said information processing apparatus; and

starting up said information processing apparatus using the selected data;

whereby said other data store comprises a file allocation table block operable to store header information, a startup image display program storage block operable to act as a read only memory, and a data block operable to store data generated by said information processing apparatus.

37(twice amended). A method of starting up an information processing apparatus comprising the steps of:

executing a booting program;

establishing data communication with a plurality of data stores for storing data;

selecting data from data stored in said plurality of data stores according to said booting program, at least one of said data stores being removably connected to said information processing apparatus; and

starting up said information processing apparatus using the selected data;

whereby said at least one of said data stores comprises a file allocation table block operable to store header information, a startup image display program storage block operable to act as a read only memory, and a data block operable to store data generated by said information processing apparatus.--



☐ EPA/EPO/OEB
 D-80288 München
 ☎ +49 89 2339-0
 TX 523 656 eprmu d
 FAX +49 89 2339-4465

COPY

Europäisches
Patentamt

European
Patent Office

Office européen
des brevets

Generaldirektion 2

Directorate General 2

Direction Générale 2

Horner, David Richard
 D Young & Co,
 21 New Fetter Lane
 London EC4A 1DA
 GRANDE BRETAGNE

MONEY	£
ORDER	
DIARY	14 JUN 03
RECD	18 FEB 2003
ANNO	
ENTRY	
FOR	JAT

Telephone Numbers:

Primary Examiner (substantive examination) +49 89 2339-2476

Formalities Officer / Assistant (Formalities and other matters) +49 89 2339-2181



Application No. 99 933 172.1-2218	Ref. P008634EP	Date 14.02.2003
Applicant Sony Computer Entertainment Inc.		

Communication pursuant to Article 96(2) EPC

The examination of the above-identified application has revealed that it does not meet the requirements of the European Patent Convention for the reasons enclosed herewith. If the deficiencies indicated are not rectified the application may be refused pursuant to Article 97(1) EPC.

You are invited to file your observations and insofar as the deficiencies are such as to be rectifiable, to correct the indicated deficiencies within a period

of 4 months

from the notification of this communication, this period being computed in accordance with Rules 78(2) and 83(2) and (4) EPC.

One set of amendments to the description, claims and drawings is to be filed within the said period on separate sheets (Rule 36(1) EPC).

Failure to comply with this invitation in due time will result in the application being deemed to be withdrawn (Article 96(3) EPC).



ARNOLD S J
 Primary Examiner
 for the Examining Division

Enclosure(s): 2 page/s reasons (Form 2906)



Bescheid/Protokoll (Antage)

Communication/Minutes (Annex)

Notification/Procès-verbal (Annexe)

Datum
Date
Date

14.02.2003

Blatt
Sheet
Feuille

1

Anmelde-Nr.:
Application No.: 99 933 172.1
Demande n°:

The examination is being carried out on the following application documents:

Text for the Contracting States:

AT BE CH CY DE DK ES FI FR GB GR IE IT LU MC NL PT SE LI

Description, pages:

1-29,31,32 as originally filed

30 as received on 28.03.2000 with letter of 21.03.2000

Claims, No.:

1-20 as originally filed

Drawings, sheets:

1/10-10/10 as originally filed

- 1.) The following document (D) is referred to in this communication; the numbering will be adhered to in the rest of the procedure:

D1: EP-A-0 844 554 (NINTENDO CO LTD) 27 May 1998 (1998-05-27)

- 2.) The application is not allowable because the subject matter of claim 1 does not appear to be new (Article 54 EPC).

At present it is not apparent how the claimed subject-matter differs from booting a normal PC from a floppy disk or CD. It appears from the description that the difference is that the initial boot program is stored in a removable medium so that no boot code in the information processing apparatus is executed. However this feature is known in principle from D1 (see column 10, lines 37 - 45). Here a ROM stores among other things an IPL which is executed first. Claim 1 is therefore not allowable.



Bescheid/Protokoll (Anlage)

Communication/Minutes (Annex)

Notification/Procès-verbal (Annexe)

Datum
Date
Date
14.02.2003Blatt
Sheet
Feuille
2Anmelde-Nr.:
Application No.:
Demande n°:
99 933 172.1

- 3.) Similar comments apply to the other independent claims 7, 11, and 16.
- 4.) It is not at present apparent which part of the application could serve as a basis for a new, allowable claim. Should the applicant nevertheless regard some particular matter as patentable, an independent claim should be filed taking account of Rule 29(1) EPC. The applicant should also indicate in the letter of reply the difference of the subject-matter of the new claim vis-à-vis the state of the art and the significance thereof.